

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS  
1015 HALF STREET, S.E., SUITE 775  
WASHINGTON, D.C. 20003**

**IN THE MATTER OF**

Butler for Mayor  
James Butler, Candidate/Treasurer  
200 Rhode Island Ave., NE #3316  
Washington, DC 20002  
jqbutler1@hotmail.com

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) Date: January 4, 2023  
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) Docket No: 2022C-027  
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**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Public Information and Records Management Division that: **James Butler, Candidate** of the Butler for Mayor Principal Campaign Committee (“committee”), failed to timely file the June 10<sup>th</sup> Report of Receipts and Expenditures that was due on June 10, 2022, in violation of the Campaign Finance Act of 2011, District of Columbia Official Code § 1-1163.09(b) (March 2019) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (July 2019).

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 8, 2022 and September 13, 2022, the Office of the General Counsel (“OGC”) ordered James Butler (“Respondent”) to file the June 10<sup>th</sup> Report and submit a Statement of Explanation and Affirmation Statement on or before August 19, 2022 and September 23, 2022 and show cause why the Respondent should not be found in violation of the D.C. Official Code § 1-1163.09(b) (March 2019) and 3 DCMR § 3017.2 (July 2019) and fined accordingly.

**Summary of Evidence**

On May 19, 2022, the Public Information and Records Management (“PIRM”) Division emailed a Reminder Letter to the Respondent that reminded the Respondent to file the June 10<sup>th</sup> Report of Receipts and Expenditures (“Report”) on Friday, June 10, 2022. On June 8, 2022, PIRM emailed another reminder to the Respondent that reiterated the requirement to file the June 10<sup>th</sup> Report by June 10, 2022. However, the Respondent failed to comply. As a result of the Respondent’s apparent disregard to adhere to the filing requirements demonstrated sufficient cause to refer the alleged violation to the Office of the General Counsel (“OGC”) for possible enforcement.

On August 8, 2022, the Hearing Examiner issued an amended Notice of Hearing, Statement of Violations and Order of Appearance to the Respondent, via e-mail that ordered the Respondent to file the June 10<sup>th</sup> Report on or before Friday, August 19, 2022. In addition, the Respondent was instructed to submit a type-written Statement of Explanation and Affirmation Statement on August 19, 2022 with a detailed explanation for the untimely report filing. However, the Respondent failed to comply.

Therefore, on September 13, 2022, the Hearing Examiner issued a second Notice of Hearing, Statement of Violations and Order of Appearance to the Respondent, via e-mail that instructed the Respondent to file the Report and submit the required Statements by September 23, 2022. Again, the Respondent failed to comply. To date, the June 10<sup>th</sup> Report has not been filed and the Respondent has failed to show cause why the Respondent should not be found in violation and fined accordingly. Moreover, the Respondent has a history of delinquent report filings.

**Findings of Fact**

**Having reviewed the allegations and the record herein, I find:**

1. The Respondent is the candidate/treasurer of the Butler for Mayor Principal Campaign Committee.
2. At all times pertinent, the Respondent was required to file the June 10<sup>th</sup> Report of Receipts and Expenditures by June 10, 2022.
3. On May 19, 2022 and June 8, 2022, PIRM sent reminder letters to the Respondent that reminded the Respondent to file the June 10<sup>th</sup> Report on June 10, 2022 but failed to comply.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated August 8, 2022 and September 13, 2022, the Hearing Examiner ordered the Respondent to file the Report and required Statements by August 19, 2022 and September 23, 2022.
5. The Respondent failed to file the June 10<sup>th</sup> Report by August 19, 2022 or September 23, 2022. Consequently, the June 10<sup>th</sup> Report had accrued fifty-nine (59) days of delinquency, as of September 23, 2022.
6. The Respondent attended the Office of Campaign Finance mandatory training program on July 22, 2021, wherein the Respondent learnt and affirmed by signature and oath to adhere to the rules of the District's Campaign Finance Laws.
7. To date, the Respondent has not filed the June 10<sup>th</sup> Report and has a history of delinquent report filings.

**Conclusions of Law**

**Based on the record provided by OCF, I therefore conclude:**

1. The Respondent violated D.C. Official Code § 1-1163.09)(b) (March 2019) and 3 DCMR § 3017.2 (July 2019).
2. 3 DCMR § 3711.2(f) established a fifty-dollar (\$50) fine, per day, for failure to timely file a Report of Receipts and Expenditures.
3. 3 DCMR § 3711.1 maintains that a fine shall attach for each day of noncompliance; up to a maximum of **\$2,950.00**, pursuant to D.C. Official Code § 1-1163.35(a)(3).
4. The Director may ministerially impose fines upon the candidate, treasurer, committee, or designated agent, pursuant to 3 DCMR § 3711.1.

5. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss, or suspend any fine.
6. At all times pertinent, the Respondent was required to file the June 10<sup>th</sup> Report of Receipts and Expenditures on June 10, 2022 but failed to comply.
7. By Notices issued August 8, 2022 and September 13, 2022, the Respondent was instructed to file the June 10<sup>th</sup> Report and submit required Statements to the Hearing Examiner by August 19, 2022 and September 23, 2022 (respectively).
8. The Respondent failed to file the June 10<sup>th</sup> Report or submit the required Statements by August 19, 2022 or September 23, 2022.
9. As of September 23, 2022, the June 10<sup>th</sup> Report had accrued fifty-nine (59) days of delinquency.
10. On July 22, 2021, the Respondent learned and affirmed by signature and oath to adhere to the rules of the District's Campaign Finance Laws.
11. To date, the Respondent remains noncompliant with the June 10<sup>th</sup> Report filing requirements and has a history of other delinquent report filings.

**Recommendation**

In view of the foregoing and information included in the record, I HEREBY RECOMMEND that the Director IMPOSE a fine in the amount of **\$2,950** against the candidate/treasurer James Butler in matter.

January 4, 2023

**Date**

/Kalvanetta K. Peete/

**Kalvanetta K. Peete**  
**Hearing Officer**

**Concurrence**

In view of the foregoing, I hereby **CONCUR** with the Recommendation.

January 4, 2023

**Date**

/William O. SanFord/

**William O. SanFord**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the imposition of a fine in the amount of **\$2,950** shall be IMPOSED against the candidate/treasurer James Butler in this matter.

January 4, 2023

Date

/Cecily E. Collier-Montgomery/

Cecily E. Collier-Montgomery  
Director

**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that a true copy of the **ORDER** has been served on James Butler, via electronic mail to: jqbutler1@hotmail.com on this \_4th\_ day of January 2023.

/Kalvanetta K. Peete/

Kalvanetta K. Peete

**Notice**

Any party adversely affected by an Order of the Director may: (1) file a Motion for Reconsideration (Motion) with the OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at the hearing (3 DCMR § 3709.13); or (2) obtain review of the Order by filing a request for a hearing *de novo* with the Board of Elections within fifteen (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to § 3711.2 shall become effective on the sixteenth (16<sup>th</sup>) day following the issuance of a decision or Order; provided that, the Respondent does not request a hearing *de novo* with the Board of Elections. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make payment by check or money order, payable to: District of Columbia Treasurer. Send payment to the *Office of Campaign Finance, 1015 Half Street S.E., Suite 775, Washington, DC 20003*.